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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20054

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
) RM-9572
Amendment of Section 73.202(b)) MM Docket No. 99-134
Table of Allotments)
FM Broadcast Stations)
Victor or Drummond, MT)

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To: Kathleen Sheuerle
Allocations Branch

COMMENTS

The Battani Corporation submits these Comments in support of its Petition to amend Section 73.202(b) of the FCC's rules to allot FM channel 268C to **Drummond, MT** as that community's "first local aural service."

Drummond, which is located in **Granite** County, is not only a Census Designated Place (1990 Census) but is an important tourist stop along busy Interstate Highway 90. **Drummond** has the social, economic and governmental indicia to qualify it as a "community" for allotment purposes.

Governmental. Unlike Victor, MT ^{1/}, **Drummond, MT** is an incorporated city with a city council, mayor and city hall. **Drummond** boasts not only its own fire department and post office but also its own school system (with both a high school and elementary school).

Social and Economic. **Drummond** has several churches, numerous commercial businesses, a medical clinic, an emergency rescue

^{1/} Both the "Victor Exxon" (406-642-3597) and the volunteer fire department of Victor (406-642-3180) confirmed to the undersigned that Victor is not incorporated and has no local government. This distinguishing factor is, standing alone, sufficient basis for preferring a Drummond allocation over Victor.

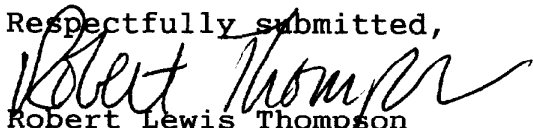
squad, real estate agents and its own school system. Its commercial businesses consist of several restaurants, gas stations/mini marts, a motel, a grocery/hardware store and a new bank.

Petitioner submits that, despite its modest population, this CDP and incorporated town along bustling IH-90 easily qualifies as a distinct "community" for FCC purposes. It should be preferred over the flawed proposal for Victor, MT. ^{2/}

A grant of the requested allotment would serve the public interest and meet the FCC's allotment priorities by providing a "first local aural service" to **Drummond**. See Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License, 5 FCC Rcd 7094, 7096 (1990).

Upon the FCC's allotment of the channel as requested and following the opening of an appropriate filing window, Petitioner will submit an application for the channel and, if granted a CP, Petitioner will promptly build the new facility.

WHEREFORE, Petitioner urges that the FCC amend the FM Table of Allotments and allocate channel 268C to **Drummond**, MT.

Respectfully submitted,

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June 18, 1999

cc: Victor Michael (Petitioner)

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^{2/} See note 1, supra.